

## **STATEMENT OF THE CLAIMS**

Claims 1-4 (canceled)

Claim 5. (previously entered) Footwear as recited in claim 14, wherein the convex arch portion and concave right and left support legs are solid.

Claim 6. (previously entered) Footwear as recited in claim 5, wherein the concave right and left support legs have a width less than the width of the convex arch.

Claim 7. (previously entered) Footwear as recited in claim 14, wherein the lip is cemented to the toe cap.

Claim 8. (canceled)

Claim 9. (previously entered) Footwear as recited in claim 14, wherein the one piece molded metatarsal guard is solid.

Claim 10. (previously entered) Footwear as recited in claim 14, wherein the convex arch portion is solid.

Claim 11. (previously entered) Footwear as recited in claim 10, wherein the right and left support legs have a width less than the width of the convex arch portion.

Claim 12. (previously entered) Footwear as recited in claim 12, wherein the lip is solid.

Claim 13. (canceled)

Claim 14. (currently amended) Footwear comprising a sole, a toe cap, and an upper having a unitary one piece molded metatarsal guard therein for transmitting a load to the sole, said metatarsal guard comprising:

a convex arch portion over a wearer's instep, the convex arch portion being formed from a single thickness of material and defining right and left sides;

a single concave integrally molded right support leg extending downwardly from the right side of the arch portion on the right side of a wearer's foot and in contact with the sole; and

a single concave integrally molded left support leg extending downwardly from the left side of the arch portion on the left side of a wearer's foot and in contact with the sole;

the convex arch portion between the right and left support legs comprising a single layer including an integrally molded lip overlying the toe cap and an integrally molded section rearward of the right and left support legs;

the support legs bearing against the sole and the lip and rearward sections of the convex arch portion not bearing against the sole when a load is applied to the metatarsal guard.

Claim 15. (previously entered) Footwear as recited in claim 14, wherein each of the support legs extends substantially perpendicularly from a longitudinal axis of the convex arch portion.

Claim 16. (previously entered) Footwear as recited in claim 14, wherein a support leg extending from a side of the convex arch portion defines an L-shaped notch.

Claim 18. (currently amended) Footwear comprising a sole, a toe cap, and an upper having a unitary one piece molded metatarsal guard therein for transmitting a load to the sole, said metatarsal guard comprising:

a convex arch portion over the wearer's instep having an integrally molded lip overlying the toe cap and a section rearward of the right and left support legs;

a single concave right support leg integrally molded with the convex arch portion and extending downwardly from the arch portion on the right side of a wearer's foot and in contact with the sole; and

a single concave left support leg integrally molded with the convex arch portion and extending downwardly from the arch portion on the left side of a wearer's foot and in contact with the sole;

each of the legs having a width less than the width of the lip, the support legs bearing against the sole and the lip and rearward section of the convex arch portion not bearing against the sole when a load is applied to the metatarsal guard.

Claim 19. (previously entered) Footwear as recited in claim 18, wherein the lip is solid.

Claim 20. (canceled)

Claim 21. (new) Footwear comprising a sole, a toe cap, and an upper having a unitary one piece molded metatarsal guard therein for transmitting a load to the sole, said metatarsal guard comprising:

a convex arch portion over the wearer's instep, the convex arch portion defining right and left sides, an integrally molded lip overlying the toe cap, and an integrally molded section rearward of right and left support legs;

a single concave integrally molded right support leg extending downwardly from the right side of the arch portion on the right side of a wearer's foot and in contact with the sole; and

a concave integrally molded left support leg extending downwardly from the left side of the arch portion on the left side of a wearer's foot and in contact with the sole;

each of the legs having a width less than the width of the convex arch portion between the right and left support legs and at least one leg defining an L-shaped notch, the support legs bearing against the sole and the lip and rearward section of the convex arch portion not bearing against the sole when a load is applied to the metatarsal guard.

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